

MEMORANDUM

June 28, 2006

TO: Keith Levchenko, Legislative Analyst
County Council

Gwen Wright, Acting Chief, County-Wide Planning Division
Maryland - National Capital Park and Planning Commission

Zohreh Movahed, Group Leader, Development Services Group
Washington Suburban Sanitary Commission

Jay Beatty, Manager, Well and Septic Section
Department of Permitting Services

FROM: Shelley Janashek, Planner II, Water and Wastewater Policy
Department of Environmental Protection

SUBJECT: Public Hearing for Water and Sewer Plan, Administrative Group AD 2006-3

This is to notify you that the Department of Environmental Protection (DEP) has scheduled an administrative public hearing for the following proposed Comprehensive Water Supply and Sewerage Systems Plan amendments, as authorized under the Administrative Delegation policies included in Chapter 1, Section V.F. The hearing will be held on Thursday, July 20, 2006, at 2:30 p.m. in DEP's conference room, 255 Rockville Pike, Suite 120, Rockville. DEP will close the hearing record on July 27, 2006.

PUBLIC HEARING PROCESS (Two requests):

Damascus Planning Area:

06A-DAM-04: Dan Pipher; 25815 Woodfield Rd.; 0.62 ac. zoned RE-2C; requesting S-3 for two existing lots. Staff recommends approval of this request.

Potomac – Cabin John Planning Area

06A-POT-03: Negar Imami; 8801 Falls Rd.; 1.01 ac.; zoned R-200; requesting S-1 for two lots. Staff recommends approval of this request.

DIRECT APPROVAL PROCESS (Four requests):

Travilah Planning Area

05A-TRV-05: Anna Bazyluk; 10509 Boswell La.; 0.40 ac.; zoned RE-1; requesting S-3 for one lot. Staff recommends approval of this request.

06A-TRV-01: Douglas Adams; 12809 Spring Dr.; 1.14 ac.; zoned RE-1. Requesting S-3 for one lot. Public health problem certified by DPS. Staff recommends approval of this request.

06A-TRV-10: Claire Proffitt; 12400 Piney Glen La.; 5.31 ac.; zoned RE-2; requesting S-1 for existing single family home. Staff recommends approval of this request.

06A-TRV-11: Claude and P. C. Bynaker; 10501 Boswell La.; 0.63 ac.; zoned RE-1; requesting S-3 for service to existing single family home. Staff recommends approval of this request.

To assist with your review, a PDF has been created and posted to our website: <http://www.montgomerycountymd.gov/waterworks>, which is comprised of the following information:

- ♦ This memorandum, which provides a brief summary of each amendment
- ♦ Summary information tables--with the amendments organized by M-NCPPC planning areas --providing the DEP staff recommendation and report for each amendment
- ♦ Mapping of proposed amendments (for the public hearing applications only), with supporting information where needed

We ask that Council staff provide the posted materials to the Councilmembers for their review. If there is interest in DEP staff meeting with Council staff regarding the proposed amendments, we request that said meeting be scheduled prior to the public hearing. We request that the Council submit any comments on the proposed amendments to this office no later than the closing date; otherwise, we will assume that the Councilmembers agree with administrative approval of the proposed amendments.

Please refer questions to me, shelley.janashek@montgomerycountymd.gov, 240-777-7735, or to Alan Soukup, alan.soukup@montgomerycountymd.gov, 240-777-7716.

Attachments

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cc: George Leventhal, President, County Council (memo only)
Nancy M. Floreen, Chair, T&E Committee (memo only)
Derick Berlage, Chairman, Montgomery County Planning Board (memo only)
Mary Dolan, County-Wide Planning Division/Environmental Unit, M-NCPPC
Robert Summers, Director, Water Management Admin., Maryland Department of the Environment
Audrey Scott, Secretary, Maryland Department of Planning

Map Amendment No. Applicant (Owner) Property Information Development	Applicant's Request: Service Area Categories Existing Requested Applicant's Explanation	Reviewing Agency Comments (Main extensions are non-CIP sized unless specified.)	Planning Board and County Council Positions Public Testimony
PUBLIC HEARING PROCESS			
DAMASCUS PLANNING AREA			
WSSCR 06A-DAM-04: Dan Pipher			
<ul style="list-style-type: none"> 25815 Woodfield Rd ; P412 & P413, Hutchcrafts Range 236NW10; FX343 Damascus Master Plan (2006) Upper Great Seneca Watershed (MDE Use I) RE-2C Zone; 0.62 ac. total Existing & Proposed: Single Family House and adjoining vacant lot <p><i>DEP note. This request is also included in the current May 2006 Council group. Routing the request through both the administrative and Council review processes was done in the unlikely event that an administrative action was not possible.</i></p>	<p>W-1 W-1 (n/c) S-6 S-1</p> <p>Applicant's Explanation "We need the S-1 to build."</p> <p>Woodfield Rd (84-6034A) and would abut approx. 1 property in addition to the applicant's. ROW may be required.</p> <p><u>DPS-Well & Septic:</u> Prior to 1963, lots could be recorded without percolation tests. This property [the vacant parcel, P412] has no record of septic testing, and never been approved for a septic system by this office</p> <p><u>M-NCPPC Staff:</u> This RE-2C zoned parcel lies within the Damascus Master Plan area in a primarily residential neighborhood of one- and two-acre densities. Concur with approval as recommended by DEP staff. (Revised for the M-NCPPC staff report presented to the Planning Board on 6/22/06.)</p>	<p>WSSC-Sewer: A 150' long sewer extension is required to serve the property; it would connect to an existing 8" sewer directly across</p>	<p>Planning Board: Concur with M-NCPPC and DEP staff recommendations. (From <i>Planning Board action on the May 2006 Council Group on 6/22/06</i>.)</p> <p>County Council:</p> <p>Testimony:</p>
<p>DEP Staff Recommendation: Approve S-3 for single sewer hookups only for each of the existing parcels. Policy V.F.1.a.: Consistent with Existing Plans.</p> <p>DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies and with master plan recommendations. These properties were included in the recommended public sewer service envelope in the recently approved Damascus Master Plan (2006). These and other properties in the vicinity existing sewer service areas were determined to have anticipated public health concerns due to the age of their septic systems and their relatively small size. Existing sewer service is available in an existing townhouse neighborhood immediately across Woodfield Road. The extension of public sewer service to these properties will also make service available to an adjacent property with a documented septic failure.</p>			
POTOMAC PLANNING AREA			
CCR 06A-POT-03: Negar Imami			
<ul style="list-style-type: none"> 8801 Falls Rd ; Lot 8, Rock Run Knolls 211NW11; FP121 Potomac Subregion Master Plan (2002) Rock Run Watershed (MDE Use I) R-200 Zone; 1.01 ac. Existing & Proposed: Single Family House and vacant lot 	<p>W-1 W-1 (n/c) S-6 S-1</p> <p>Applicant's Explanation "Applying for subdivision of our lot. have been informed by Park and Planning that we have to get sewer."</p>	<p>WSSC-Sewer: An 8-inch sewer line in Falls Road abuts the property (99-2671A).</p> <p><u>DPS-Well & Septic:</u> There are no records of any problems with the existing septic system. The property has a septic reserve area with sufficient area for 3 replacement septic systems</p> <p><u>M-NCPPC Staff:</u> This property is within the Potomac Subregion sewer service envelope and eligible for community sewer service.</p>	<p>Planning Board:</p> <p>County Council:</p> <p>Testimony:</p>
<p>DEP Staff Recommendation: Approve S-1. Policy V.F.1.a.: Consistent with Existing Plans.</p> <p>DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies and with the master plan, which includes this area zoned R-200 within its recommended public sewer service envelope. Sewer service is currently available to the property, requiring only a sewer connection and hookup.</p>			

Map Amendment No. Applicant (Owner) Property Information Development	Applicant's Request: Service Area Categories Existing Requested Applicant's Explanation	Reviewing Agency Comments (Main extensions are non-CIP sized unless specified.)	Planning Board and County Council Positions Public Testimony
DIRECT APPROVAL PROCESS			
TRAVILAH PLANNING AREA			
CCR 05A-TRV-05: Anna Bazyluk			
<ul style="list-style-type: none"> 10509 Boswell La.; P530, Wickham & Pottinger 217NW10; FR341 Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) – Piney Branch Subwatershed (Mont. Co. SPA) RE-1 Zone; 0.40 ac. Existing & Proposed: Single Family House 	<p>W-1 W-1 (n/c) S-6 S-1</p> <p>Applicant's Explanation "Public sewer may come in front of our property."</p> <p>the R A M project nearby WSSC is prepared to provide a sewer service connection to this property from this main.</p> <p>DPS-Well & Septic: This office has no record of the existing septic system – the house was built in 1903 Well & Septic would be unable to approve any living space additions to the house without successful water table and percolation tests.</p>	<p>WSSC-Sewer: Service will require a 2,100-foot main extension along Boswell La to the existing gravity main at Maplecrest Dr.; this pressure sewer (project #DA3769Z03) will be constructed to serve</p>	<p>Planning Board:</p> <p>County Council:</p> <p>Testimony:</p>
<p>M-NCPPC: This property is outside the Master Plan sewer service envelope, is within the Piney Branch Special Protection Area, and is excluded from the peripheral service policy (Page 23, Potomac Subregion Master Plan). The property will abut the pressure gravity sewer main to be constructed to serve the RAM Investments project approved by the County Council (even although it was outside the envelope) after the Master Plan was adopted. Under the Piney Branch restricted sewer access policy, properties abutting the route of the new main along Boswell La between the R A M. site and Maplecrest Dr. to the west will be eligible for a single hookup, but not subdivision or re-subdivision, if RAM Investments proceeds with the main extension. Approve single hookup, if it is technically feasible to serve the property, and if RAM Investments proceeds with the main extension.</p>			
<p>DEP Staff Recommendation: Approve S-3 for one sewer hookup only. Policy V.F.2.b; Properties abutting mains.</p>			
<p>DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies and with master plan recommendations for public sewer service in the Piney Branch watershed. The Piney Branch Restricted Sewer Access policy allows for a single sewer hookup for properties that abut and predate an existing or approved sewer main. Given the 0.40-acre size of this property, the policy's restriction on the use of that sewer hookup to promote subdivision or resubdivision of existing properties is not really an issue. A low-pressure sewer main will abut and serve this property, requiring the use of an on-site grinder pump.</p>			
WSSCR 06A-TRV-01: Kathryn Adams Estate			
<ul style="list-style-type: none"> 12809 Spring Dr.; Lot 21, Block 2, Glen Hills, Sec. 3 217NW10; FR41 Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) – Piney Branch Subwatershed (Mont. Co. SPA) RE-1 Zone; 1.14 ac. Existing & Proposed: Single Family House 	<p>W-1 W-1 (n/c) S-6 S-3</p> <p>Applicant's Explanation: "Problems with existing septic system; existing public sewer service available"</p> <p>extension has been conceptually approved and is under design to relieve a documented health hazard at the subject property (DA2976X04).</p>	<p>WSSC: A 300' long non-CIP sized sewer extension is required to serve the property; it would connect to an 8" diameter sewer in Spring Dr (02-3426Z02) and would abut approximately 5 other properties. This</p>	<p>Planning Board:</p> <p>County Council:</p> <p>Testimony:</p>
<p>DPS-Well & Septic: This office issued a Health Hazard letter on December 12, 2003. The letter was issued based upon a report by King & Sons. I found no evidence that this office actually observed a failing septic system at that time. We did do percolation tests that showed marginal to failing soil conditions; any replacement septic system would be considered innovative or alternative. (Note: Reviewed November 2005).</p> <p>DEP note: DPS staff issued a subsequent health hazard letter for this property in March 2006, that explained, in part, "... A septic failure has been confirmed. Percolation tests conducted in an effort to repair the septic system have revealed poor soil conditions- indicating an innovative (experimental) septic system would be required. Due to the increased risk of failure with such a system, connection to the public sewer system is clearly the preferred solution.</p>			

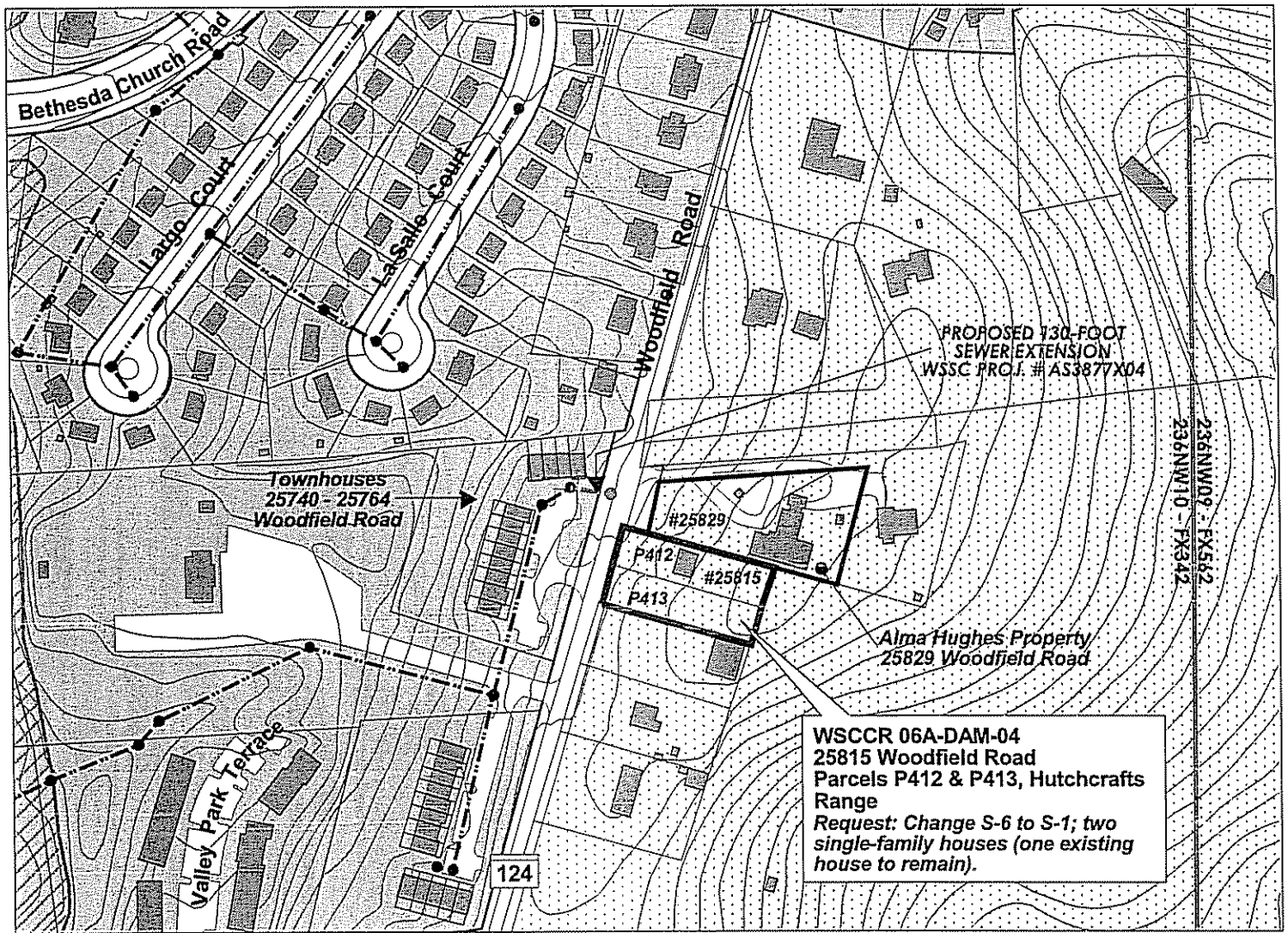
Department of Environmental Protection – Water and Wastewater Policy Group

ADMINISTRATIVE DELEGATION GROUP AD 2006-3: *Map Amendment Summary Information Table*

Map Amendment No. Applicant (Owner) Property Information Development	Applicant's Request: Service Area Categories		Reviewing Agency Comments (Main extensions are non-CIP sized unless specified.)	Planning Board and County Council Positions Public Testimony
	Existing	Requested		
The required extension of the main sewer line will no doubt benefit other area properties in the future as the soil conditions on this street are generally poor." <i>In subsequent discussion with DEP staff, the DPS Well & Septic staff seriously questioned the viability of an innovative septic system for this property and, especially given the history of septic problems in this vicinity, again urged the provision of public sewer service</i>				
M-NCPPC Staff: Proposal is consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows: "Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures." (page 24) A health problem was documented and DPS has conducted an assessment for alternative on-site systems. No suitable on-site solution was found. Approve S-3 since a public health problem is documented and no on-site solution was found.				
WSSCR 06A-TRV-01: Kathryn Adams Estate				
DEP Staff Recommendation: Approve S-3 for one sewer hookup only. Policy V.F.2.a : Public health problems.				
DEP Staff Report: The extension of public sewer service to this property to relieve a failed septic system is authorized under the Water and Sewer Plan's policies addressing public health problems for individual properties. In particular, additional policy requirements are addressed by the Well and Septic Section's documentation of a health problem in this case. The property is located within the Piney Branch watershed where the Water and Sewer Plan requires that sewer service be provided consistent with a restricted sewer access policy. The existence of a health problem satisfies that policy requirement. Also in the Glen Hills area, the 2002 Potomac Subregion Master Plan calls for a general prohibition on additional public sewer service until the County completes a survey of septic systems in the neighborhood. The only exception to this recommendation is to relieve documented public health problems. We expect the recommended sanitary survey to begin later this summer.				
CCR 06A-TRV-10: Claire Proffitt				
<ul style="list-style-type: none">12400 Piney Glen La; Lot 23, Block A, Piney Glen Farms216NW11; FQ123Potomac Subregion Master Plan (2002)Watts Branch Watershed (MDE Use I) – Piney Branch Subwatershed (Mont Co SPA)RE-2 Zone; 5.31 acExisting & Proposed: Single Family House	W-1 S-6	W-1 (n/c) S-3 Applicant's Explanation: (DEP summary) Lot has frontage on Piney Meetinghouse and Piney Glen; house was built in 1970, prior to installation of sewer along Piney Meetinghouse; sewer abuts property	WSSC-Sewer: A 3" pressure sewer line in Piney Meetinghouse Rd. abuts the property (#90-8410). DPS-Well & Septic: There are no records of any problems with the existing septic system M-NCPPC Staff: Although this property is outside the sewer service envelope, within the Piney Branch Special Protection Area, and excluded from the peripheral service policy, (Page 23, Potomac Subregion Master Plan), it qualifies for sewer service under the abutting mains policy	Planning Board: County Council: Testimony:
DEP Staff Recommendation: Approve S-1 for one sewer hookup only. Policy V.F.2.b ; Properties abutting mains.				
DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies and with master plan recommendations for public sewer service in the Piney Branch watershed. The Piney Branch Restricted Sewer Access policy allows for a single sewer hookup for properties that abut and predate an existing or approved sewer main. The policy further restricts the use of that sewer hookup to promote subdivision or resubdivision of existing properties. A low-pressure sewer main abuts and will serve this property, requiring the use of an on-site grinder pump. The approval for the single sewer-service hookup under the Abutting Mains Policy is consistent with other recent category change approvals under the same circumstances in this area.				

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	Existing	Requested		
WSSCR TRV06A-TRV-11: Mr. and Mrs. Claude Bynaker				
<ul style="list-style-type: none">• 10501 Boswell La.; Parcel P551, Wickham & Pottinger• 217NW10; FR31• Potomac Subregion Master Plan (2002)• Watts Branch Watershed (MDE Use I) – Piney Branch Subwatershed (Mont. Co. SPA)• RE-1 Zone; 0.63 ac.• Existing & Proposed: Single Family House	W-1 S-6	W-1 (n/c) S-3 Applicant's Explanation: (excerpt) "...a .2" pressure sewer is to be constructed in front of our property...our home and septic field are over 60 years old..."	WSSC-Sewer: A 1400'-long non-CIP-sized sewer extension is required to serve the property; it would connect to the 8" sewer in Maplecrest Drive (89-8066E) and would abut many properties in addition to the applicant's. This extension has been conceptually approved for service to the Glen Mill Knolls subdivision (DA3769Z03).	<u>Planning Board:</u> <u>County Council:</u> <u>Testimony:</u>
	<u>DPS-Well & Septic:</u> There are no records of any problems with the existing septic system <u>M-NCPPC Staff:</u> This property is outside the Master Plan sewer service envelope, is within the Piney Branch Special Protection Area, and is excluded from the peripheral-service-policy. (Page 23, Potomac Subregion Master Plan). The property will abut the pressure gravity sewer main to be constructed to serve the RAM Investments project approved by the County Council (even although it was outside the envelope) after the Master Plan was adopted. Under the Piney Branch restricted sewer access policy, properties along the route of the new main along Boswell Lane between the RAM site and Maplecrest Drive to the west will be eligible for a single hookup, but not subdivision or re-subdivision, if RAM Investments proceeds with the main extension. Approve single hookup, if it is technically feasible to serve the property, and if RAM Investments proceeds with the main extension.			
<u>DEP Staff Recommendation:</u> Approve S-3 for one sewer hookup only. Policy V.F 2 b.; Properties abutting mains.				
<u>DEP Staff Report:</u> The provision of public sewer service is consistent with water and sewer plan policies and with master plan recommendations for public sewer service in the Piney Branch watershed. The Piney Branch Restricted Sewer Access policy allows for a single sewer hookup for properties that abut and predate an existing or approved sewer main. Given the 0.60-acre size of this property, the policy's restriction on the use of that sewer hookup to promote subdivision or resubdivision of existing properties is not really an issue. A low-pressure sewer main will abut and serve this property, requiring the use of an on-site grinder pump				

Sewer Service Area Categories Map WSSCR 06A-DAM-04 (Daniel & G.M. Pipher)



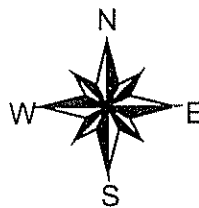
Damascus Planning Area

Upper Great Seneca Creek Watershed

250 0 250 500 750 1000 Feet

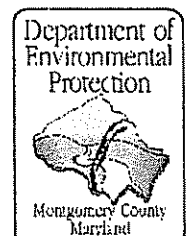
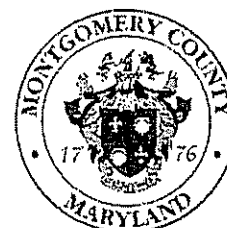
MAP LEGEND

- Property
- WSSC Map Grid
- Sewer Manholes
- Sewer_stretch_as_built.shp
- Small-Diameter, Low-Pressure Mains
- 6"- to 8"-Diameter Gravity Mains
- 10"- to 14"-Diameter Gravity Mains
- 15"- to 42"-Diameter (CIP) Trunk Mains
- 48"- or Larger-Diameter (CIP) Trunk Mains
- Topography (C 1. = 5 Feet)
- Bldg
- Buildings
- Road03
- Roads
- Private_roads=wwtrev.shp
- Parking
- Parking
- Streams
- Ponds - Lakes
- Woodlands
- Sewer Service Area Categories (6/03)
- S-1
- S-3
- S-4
- S-5
- S-6



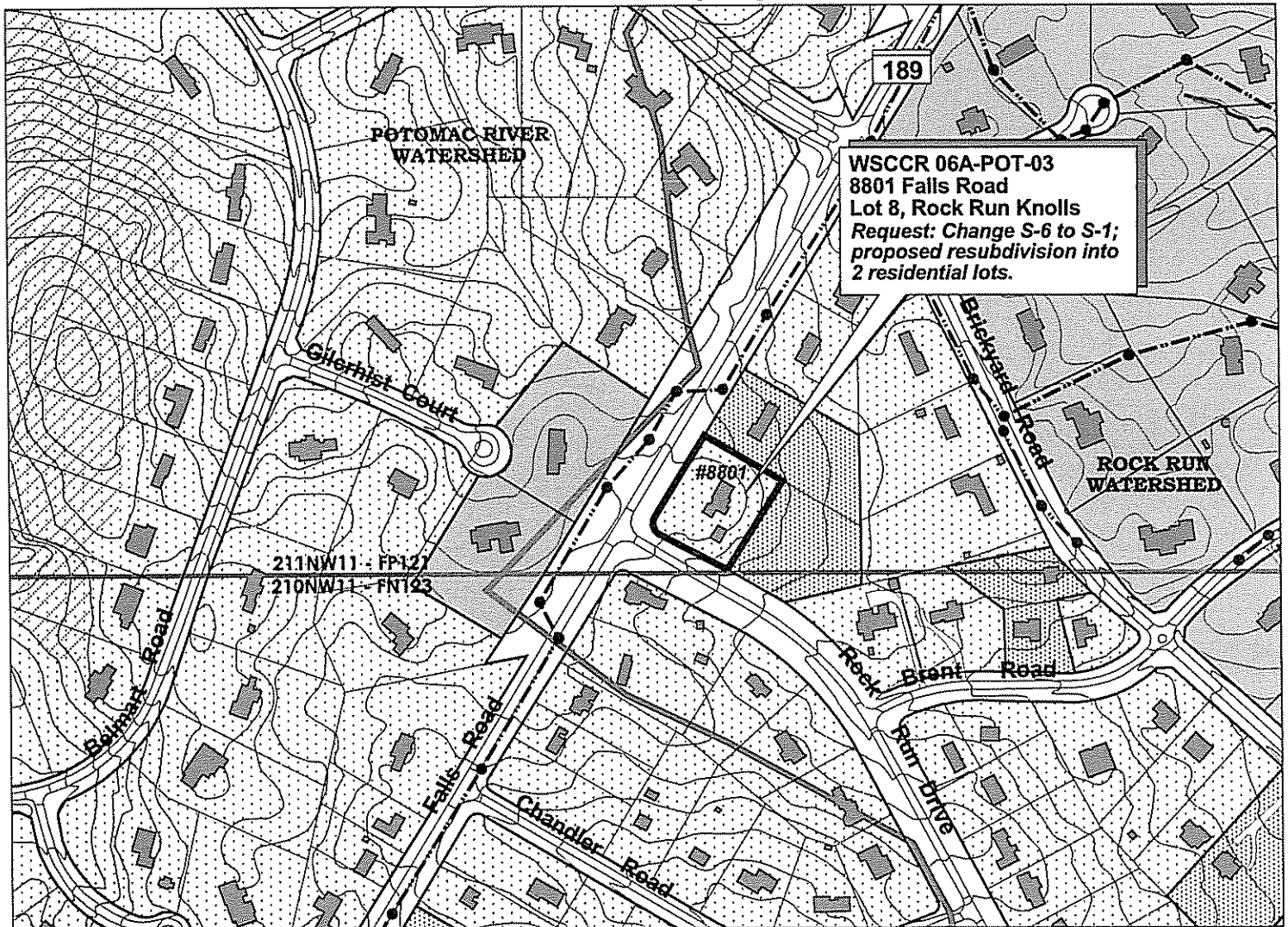
June 2003 Update
Service Area Categories Map

Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Water and Wastewater Policy Group
5/7/06 - GIS Project File:
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Sewer Service Area Categories Map WSSCR 06A-POT-03 (Negar Imani)



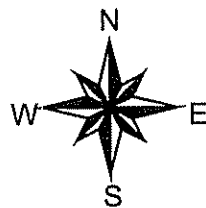
Potomac - Cabin John Planning Area



MAP LEGEND

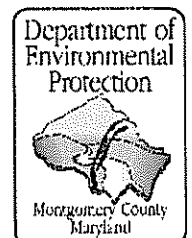
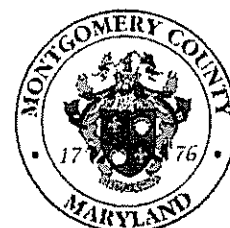
- Property
- WSSC MapTiles
- Sewer Manholes
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 42"-Diameter (CIP) Trunk Mains
 - 48"- or Larger-Diameter (CIP) Trunk Mains
- Buildings
- Roads - Parking
- Topography (C.I. = 5 Feet)
- Watersheds
- Streams
- Ponds - Lakes
- Woodlands

- Sewer Service Area Categories (6/03)**
- S-1
 - S-3
 - S-4
 - S-5
 - S-6



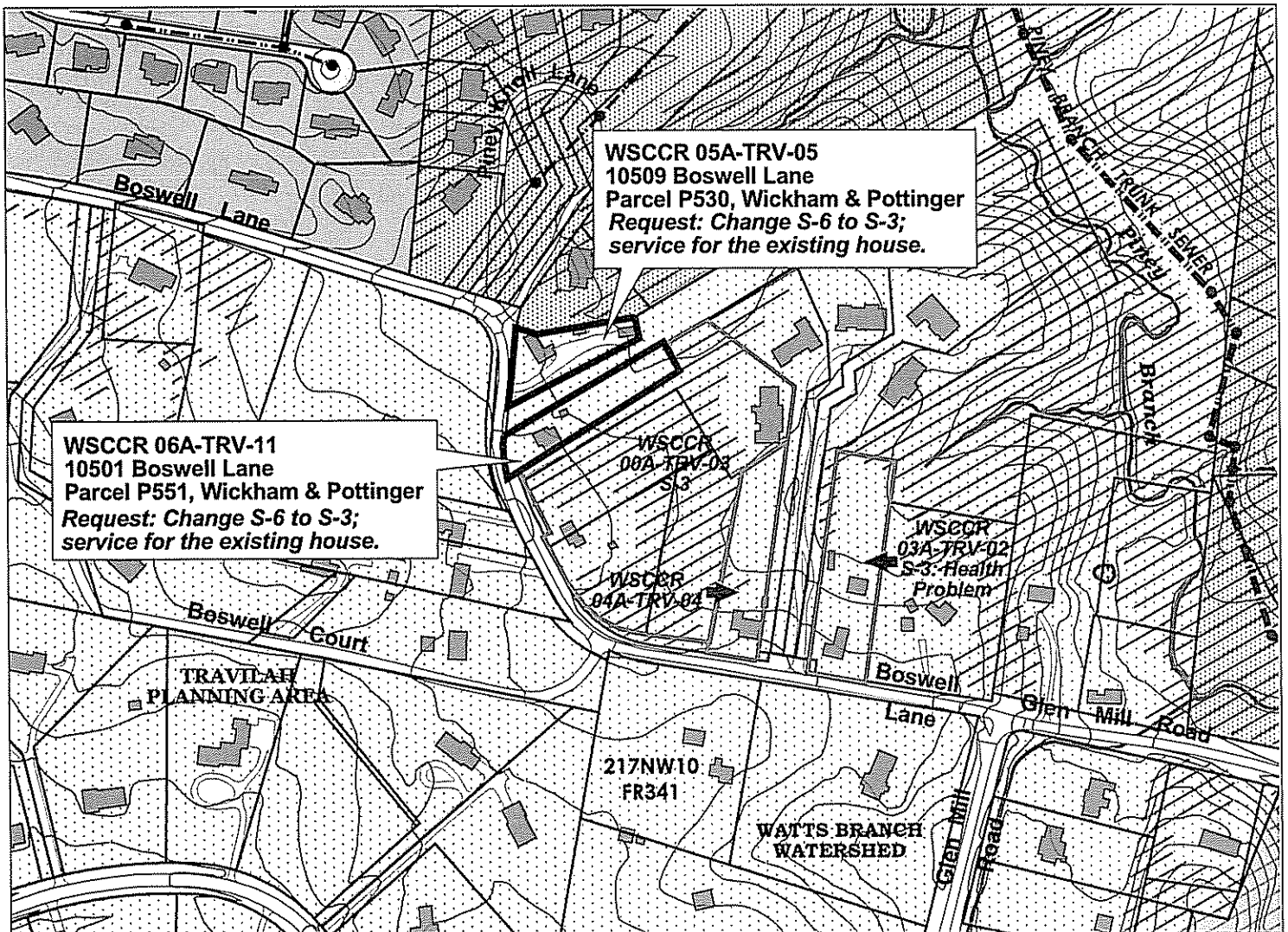
June 2003 Update
Service Area Categories Map

Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



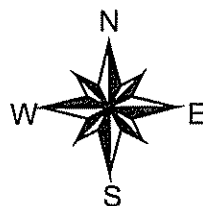
Water and Wastewater Policy Group
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Sewer Service Area Categories Map: WSCCRs 05A-TRV-05 (Janusz Bazyluk / Anna Bazyluk) & 06A-TRV-11 (Claude & P.C. Bynaker)



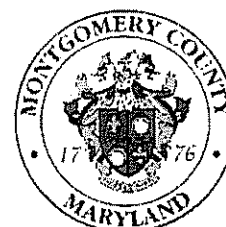
MAP LEGEND

- Property (Sept. 2004)
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 42"-Diameter (CIP) Trunk Mains
 - 48"- or Larger-Diameter (CIP) Trunk Mains
- Sewer Manholes
- WSSC/GIS Tile Grid
- Topography (C.I. = 5 Feet)
- Buildings
- Roads
- Streams
- Ponds - Lakes
- Woodlands
- WSCCR Inventory
- Sewer Service Area Categories (6/03)**
 - S-1
 - S-3
 - S-4
 - S-5
 - S-6



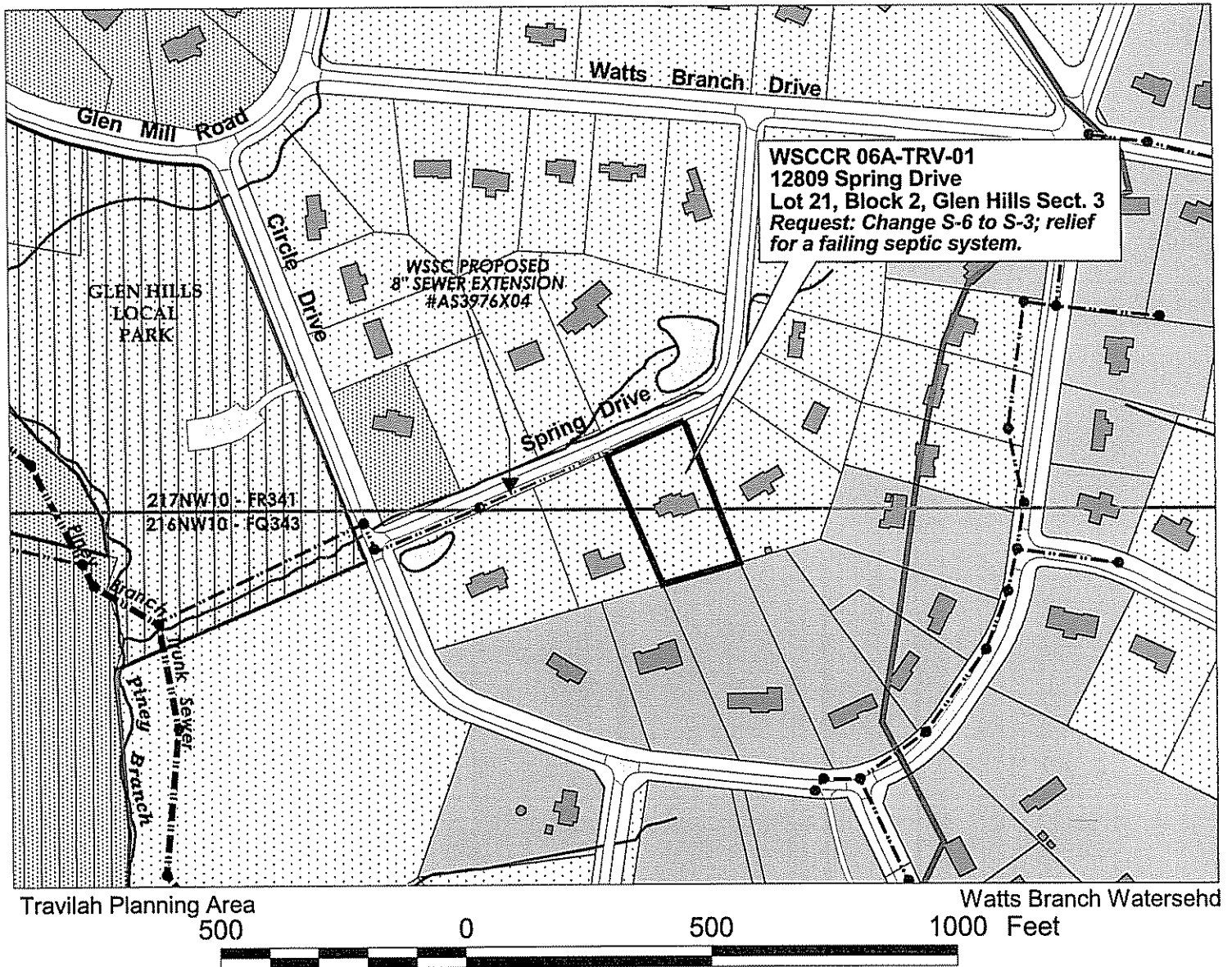
June 2003 Update
Service Area Categories Map

Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Water and Wastewater Policy Group
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Sewer Service Area Categories Map WSSCR 06A-TRV-01 (Adams Estate)

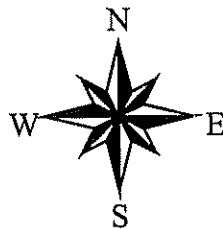


MAP LEGEND

- Property
- WSSC Tile Grid
- Sewer Manhole
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 42"-Diameter (CIP) Trunk Mains
 - 48"- or Larger-Diameter (CIP) Trunk Mains
- Buildings - Structures
- Roads - Parking
- Piney Branch Subwatershed
- Streams
- Lakes - Ponds - Larger Streams
- Parks

Sewer Categories (June 2003)

- S-1
- S-3
- S-4
- S-5
- S-6



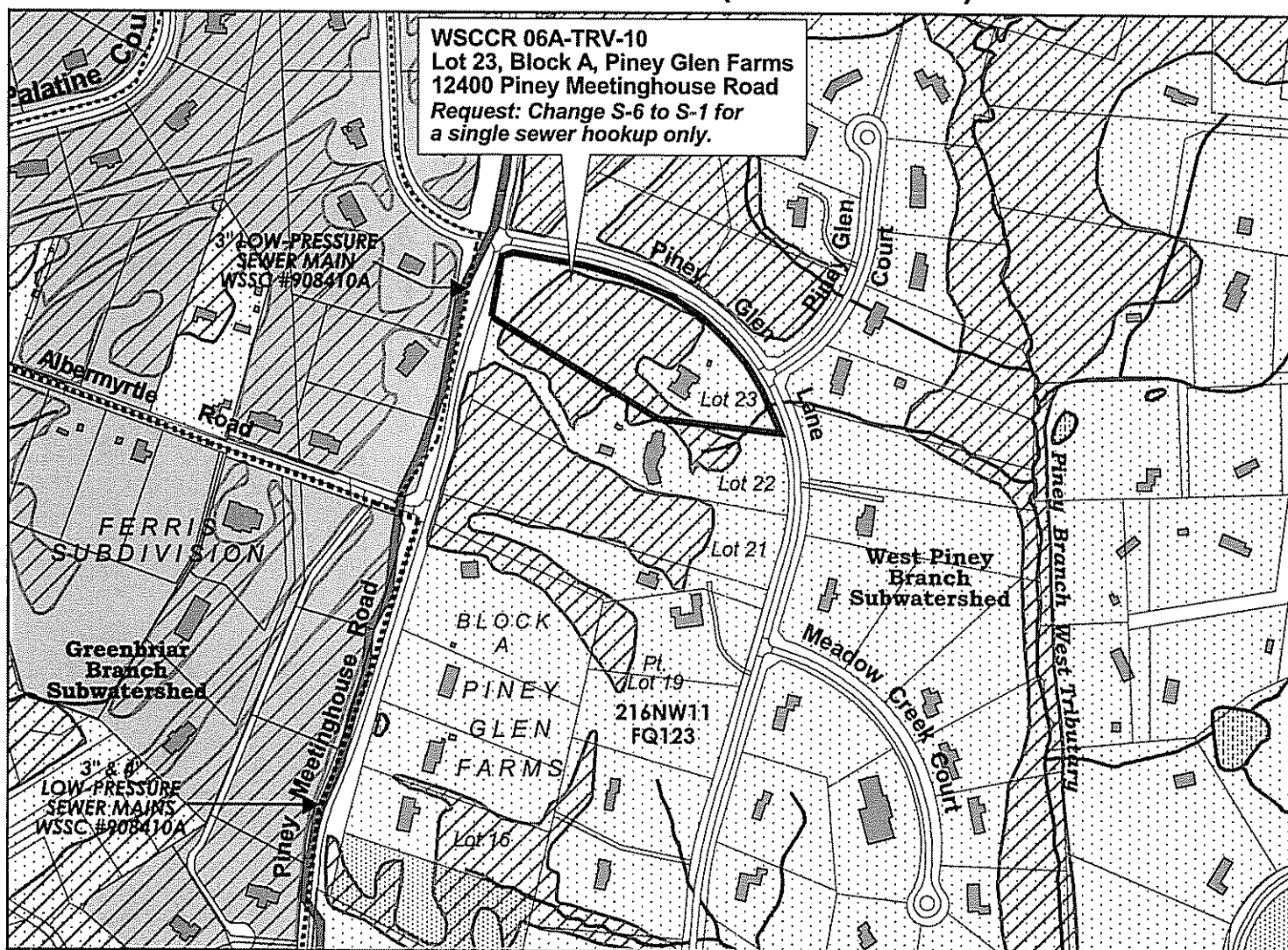
SERVICE AREA CATEGORY CHANGE REQUEST

Montgomery County, Maryland
2003 - 2012 Comprehensive Water
Supply & Sewerage Systems Plan



Water & Wastewater Policy Group
4/3/06 -- GIS file:
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2006ccrs\06a-trv-01=adams=s.apr

Sewer Service Area Categories Map WSSCR 06A-TRV-10 (Claire Proffitt)



Travilah Planning Area

Watts Branch Watershed

500 0 500 1000 1500 2000 Feet



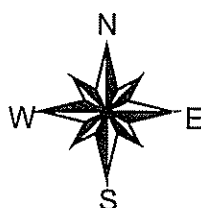
MAP LEGEND

- Properties
- WSSC/GIS Grid
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- Sewer Mains**
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 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 18"-Diameter (CIP) Trunk Mains
 - 20"- to 42"-Dia. (CIP) Mains *
 - 48"- or Larger-Diameter (CIP) Trunk Mains *
- * No Individual Connections

- Buildings
- Roads
- Watts Branch Subwatersheds
- Streams
- Ponds - Lakes
- Woodlands

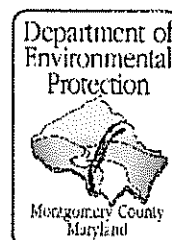
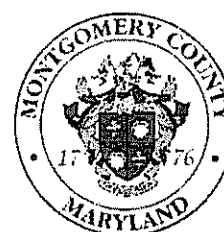
Sewer Service Area Categories

- S-1
- S-3
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- S-5
- S-6



June 2003 Update
Service Area Categories Map

Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Watershed Management Division
6/28/06 - GIS Project File:
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